

AMENDED IN ASSEMBLY AUGUST 4, 2004

AMENDED IN SENATE MAY 5, 2004

AMENDED IN SENATE APRIL 15, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1517

Introduced by Senator Ashburn

(Coauthors: Senators Denham and Oller)

(Coauthors: Assembly Members Bates, Benoit, Chavez, Cogdill, Lieber, Maddox, Maze, Pacheco, *Plescia*, Runner, and Samuelian)

February 19, 2004

An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 (commencing with Section 51440) of, Chapter 3 of Part 28 of, and to repeal Section 51441 of, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1517, as amended, Ashburn. Retroactive high school diplomas for veterans.

Existing law sets forth the requirements for the issuance of high school diplomas or equivalency certificates. Existing law authorizes a school district that maintains a high school to grant a high school diploma to a veteran that is a resident of California if the governing board of that district is satisfied that that veteran has completed the equivalent of the requirements for graduation from high school.

Existing law, notwithstanding any other provision of law to the contrary, authorizes a high school district, unified school district, or

county office of education, to retroactively grant a high school diploma to a former pupil who was interned in the United States by order of the federal government during World War II, as provided.

This bill would extend that authorization to retroactively granting a high school diploma to a former pupil who is a veteran of World War II, the Korean War, or the Vietnam War, or their next of kin, as provided. The bill would also make various technical, nonsubstantive, and conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The heading of Article 3.5 (commencing with
2 Section 51430) of Chapter 3 of Part 28 of the Education Code is
3 amended to read:

4
5 Article 3.5. Retroactive High School Diplomas

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7 SEC. 2. Section 51430 of the Education Code is amended to
8 read:

9 51430. (a) Notwithstanding any other provision of law, a
10 high school district, unified school district, or county office of
11 education, may retroactively grant a high school diploma to a
12 person who has not received a high school diploma if he or she
13 meets either of the following conditions:

14 (1) The person was interned by order of the federal government
15 during World War II and was enrolled in a high school operated by
16 the school district or under the jurisdiction of the county office of
17 education immediately preceding his or her internment and did not
18 receive a high school diploma because his or her education was
19 interrupted due to his or her internment during World War II.

20 (2) The person is a veteran of World War II, the Korean War,
21 or the Vietnam War ~~and~~, *was honorably discharged from his or her*
22 *military service*, was enrolled in a high school operated by the
23 school district or under the jurisdiction of the county office of
24 education immediately preceeding his or her military service in
25 those wars, and did not receive a high school diploma because his
26 or her education was interrupted due to his or her military service
27 in those wars.



(b) A high school district, unified school district, or county office of education may retroactively grant a high school diploma to the next of kin of a deceased person who meets the conditions of paragraph (1) or (2) of subdivision (a), ~~on behalf of that to be received by the next of kin of the deceased person.~~

SEC. 3. The heading of Article 4 (commencing with Section 51440) of Chapter 3 of Part 28 of the Education Code is repealed.

SEC. 4. Section 51440 of the Education Code is amended to read:

51440. (a) (1) Notwithstanding any other provision of law, ~~subject to regulations that the state board shall prescribe,~~ a high school district, unified school district, or county office of education ~~may retroactively grant a high school diploma to a person who has not received a high school diploma if either of the following conditions apply:~~

~~(1) Subject to regulations that the State Board of Education shall prescribe, the governing board of a school district maintaining a four-year high school or senior high school may, for education maintaining a four-year high school or senior high school, may, for a person who has not received a high school diploma included in paragraph (2), evaluate classes completed in any high school, community college, or state college; grant credit toward graduation for military service and training received while in the military service of the United States, and if satisfied that that person has completed the equivalent of the requirements for graduation from high school, grant him or her a diploma of graduation.~~

(2) Persons who may be granted a diploma pursuant to paragraph (1) are:

(A) A former member of the Armed Forces who is a resident of this state and who has received ~~other than a dishonorable an~~ honorable discharge.

(B) A member of the Armed Forces who is, and on the date he or she entered the Armed Forces was, a resident of this state.

(b) A veteran who entered the military service of the United States while a pupil in grade 12 of a high school and who at the time of his or her entrance into military service had satisfactorily completed the first half of the work required for grade 12 shall be granted a diploma of graduation from that high school.

SEC. 5. Section 51441 of the Education Code is repealed.

1 SEC. 6. Section 51442 of the Education Code is amended to
2 read:

3 51442. For purposes of this article, “veteran” means a person
4 who has served 90 days or more in the military service of the
5 United States during a war with a foreign power or during any
6 national emergency declared by the President of the United States
7 and who has received ~~other than a dishonorable~~ *an honorable*
8 discharge from that service.

